

To: Clerk of Bankruptcy Court  
824 Market Street, 3<sup>rd</sup> floor  
Wilmington, Delaware 19801  
Case# 23-11385(LSS)

FILED

2023 SEP 22 AM 10:18

CLERK  
US BANKRUPTCY COURT  
DISTRICT OF DELAWARE

This letter is in response to the motion filed on behalf of the debtors, Mitchell Gold Co. LLC on September 12, 2023.

This is to inform you that based on the reading of this document that we received on September 21, 2023, we assert that this motion does not apply to our order #1811413164 placed on July 2, 2023 (attached).

On the evening of September 6th, we called our sales associate, Ashley Middlebrooks, on her personal cell phone to follow up on a possible delivery date for our order. Ahsley then informed us that MG & BW had gone out of business and that the retail store referenced in the above order had shut down. She also informed us that everyone in the company had been let go, including all manufacturing.

Upon subsequent calls to the customer line, we have received no response to our voicemails we left on the phone line. Until this notice of the above referenced motion, we have received no contact from MG & BW. Since we received no return call or notice of any kind, we contacted Wells Fargo who maintains our Visa card and filed a dispute. This motion assumes that the retail customer has received notice of a finished order and possible delivery. We have received no such notice that our furniture was completed.

Therefore, we have proceeded with our dispute, and Wells Fargo has agreed to credit our account for the full amount of the order. Because there has been no communication that our furniture was completed, we refuse any such title to the property referenced in the above order. The dispute now rests with Wells Fargo, Visa and Mitchell Gold Co LLC.

Respectfully submitted,

  
Deborah Thompson

  
Patrick Snipes

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

THE MITCHELL GOLD CO., LLC, *et al.*<sup>1</sup>

Debtors.

Chapter 11

Case No. 23-11385 (LSS)

Jointly Administered

**Hearing Date:**

October 2, 2023, at 2:00 p.m. (ET)

**Objection Deadline:**

September 25, 2023, at 4:00 p.m. (ET)

Re: D.I. 27

**NOTICE OF DEBTORS' MOTION FOR ENTRY OF INTERIM AND FINAL ORDERS  
(I) AUTHORIZING THE DEBTORS TO HONOR CERTAIN CUSTOMER PRACTICES  
AND AUTHORIZE DEVELOPING THE MERCHANDISE RETRIEVAL PROCESS,  
(II) AFTER TITLE IS DETERMINED, GRANTING LIMITED RELIEF FROM THE  
AUTOMATIC STAY, AND (III) GRANTING RELATED RELIEF**

**PLEASE TAKE NOTICE** that on September 12, 2023, the above-captioned debtors and debtors in possession (the “Debtors”) filed the *Debtors’ Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Honor Certain Customer Practices and Authorize Developing the Merchandise Retrieval Process, (II) After Title is Determined, Granting Limited Relief from the Automatic Stay, and (III) Granting Related Relief* [D.I. 27] (the “Motion”).

**PLEASE TAKE FURTHER NOTICE** that any responses or objections to the Motion must (a) be in writing; (b) be filed with the Clerk of the Bankruptcy Court, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801, on or before September 25, 2023, at 4:00 p.m. (ET) (the “Objection Deadline”); and (c) served so as to be received on or before the Objection Deadline by the undersigned counsel to the Debtors.

**PLEASE TAKE FURTHER NOTICE THAT A HEARING ON THE MOTION WILL BE HELD ON OCTOBER 2, 2023, AT 2:00 P.M. (ET) BEFORE THE HONORABLE LAURIE SELBER SILVERSTEIN AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 MARKET STREET, 6th FLOOR, WILMINGTON, DELAWARE 19801.**

<sup>1</sup> The Debtors in these chapter 11 cases, along with the Debtors’ federal tax identification numbers are: The Mitchell Gold Co., LLC (8942) and SG-TMGC, LLC (0248). The Debtors’ addresses are, respectively, 135 One Comfortable Place, Taylorsville, North Carolina 28681 and P.O. Box 3417, Little Rock, Arkansas 72203.

**PLEASE TAKE FURTHER NOTICE THAT ONLY OBJECTIONS MADE IN WRITING AND TIMELY FILED AND RECEIVED IN ACCORDANCE WITH THE PROCEDURES ABOVE WILL BE CONSIDERED BY THE COURT AT SUCH HEARING.**

**IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.**

Dated: September 15, 2023 .  
Wilmington, Delaware

**MORRIS, NICHOLS, ARSHT & TUNNELL LLP**

/s/ Evanthea Hammer

Robert J. Dehney (No. 3578)  
Andrew R. Remming (No. 5120)  
Daniel B. Butz (No. 4227)  
Evanthea Hammer (No. 7061)  
1201 Market Street, 16th Floor  
Wilmington, Delaware 19801  
Telephone: (302) 658-9200  
Facsimile: (302) 658-3989  
Email: rdehney@morrisnichols.com  
aremming@morrisnichols.com  
dbutz@morrisnichols.com  
ehammer@morrisnichols.com

- and -

**RAYBURN COOPER & DURHAM, P.A.**

C. Richard Rayburn Jr. (admitted *pro hac vice*)  
Matthew L. Tomsic (admitted *pro hac vice*)  
Suite 1200, The Carillon  
227 West Trade Street  
Charlotte, NC 28202  
(704) 334-0891

*Proposed Counsel to the Debtors and  
Debtors in Possession*

**Mitchell Gold  
+Bob Williams**

4015 HILLSBORO PIKE  
SUITE 101  
NASHVILLE TN 37215  
615 460-7665

Sales Order	
1811413164	
Estimated Date	Document Date
As Soon As Possible	07/02/23

**Sold To**

DEB THOMPSON  
1513 AVELLINO CIR  
MURFREESBORO, TN 37130  
  
drtprs56@gmail.com

**Ship To**

DEB THOMPSON  
1513 AVELLINO CIR  
MURFREESBORO, TN 37130  
deborah.r.thompson.gybl@statefarm.com  
Home: Cell: 615 987-1888

	Terms	Sales Associate	Customer #	Store
	SEE BELOW	AMNA	181828826	181
<b>Printed:</b> 07/03/23 10:27AM				
D - Delivery				

<https://r.mgbw.com/CustomerAccount/OrderPayment/MTgxMTQzMzE2NA==>

Financed By:

Finance Plan:

Account:

Auth:

Club Pricing is contingent upon paid Comfort Club Membership

**Amount Due:**

\$0.00

X

I agree to pay the above total amount according to the card issuer agreement. I acknowledge that all information written on the order is accurate. I agree to the policies set forth on the terms of sale agreement and have received a copy for my reference along with this receipt.

# Mitchell Gold +Bob Williams

4015 HILLSBORO PIKE  
SUITE 101  
NASHVILLE TN 37215  
615 460-7665

Sales Order
1811413164
Estimated Date
As Soon As Possible
Document Date
07/02/23

Sold To
DEB THOMPSON 1513 AVELLINO CIR MURFREESBORO, TN 37130
drtprs56@gmail.com

Ship To
DEB THOMPSON 1513 AVELLINO CIR MURFREESBORO, TN 37130 deborah.r.thompson.gybl@statefarm.com Home: Cell: 615 987-1888

	Terms	Sales Associate	Customer #	Store
	SEE BELOW	AMNA	181828826	181
<b>Printed:</b> 07/03/23 10:27AM				
D - Delivery				

<https://r.mgbw.com/CustomerAccount/OrderPayment/MTgxMTQzMzE2NA==>

Ln#	Item	Description	Order	Price	Amount
-----	------	-------------	-------	-------	--------

1	COMFORT_CLUB BRAND: 1000	COMFORT CLUB	1	RETAIL PRICE:  <b>NET EXT PRICE:</b>	\$0.00  <b>\$0.00</b>
2	2215-034T BRAND: MTO	ROSE FL SWVL CHAIR  35% DESIGNER DISCOUNT	2	RETAIL PRICE:  <b>YOUR PRICE:</b>	\$2,660.00  <b>\$3,458.00</b>

Base Cover: 104470 - 6 - PERF VELV MC-SKY BLUE  
Cushion Fill: SIG - SIGNATURE POLY

Merchandise:	\$3,458.00
Delivery Charge:	\$279.00
Tax:	\$346.97
<b>Total Sales Order:</b>	<b>\$4,083.97</b>

ETA 14-16 WEEKS

**Total Comfort Club Savings: \$0**

Amount Paid:	VISA 07/02/23	\$-4,083.97
--------------	---------------	-------------

econex

FAX

U.S.M.S  
X-RAYEnvelope XE ZWIA  
recyclableTAK# 7840 7285 2206  
0201FRI - 22 SEP 10  
PRIORITY OVERN

DE-US

19

ORIGIN ID:SYIA (919) 609-6691  
AMPHENOL THERMOMETRICS  
862 WINDFALL RD  
SAINT MARYS, PA 15857  
UNITED STATES US

TO CLERK OF BANKRUPTCY

SHIP DATE: 21SEP23  
ACTWTG: 0.05 LB  
CAD: 6992625/SSFB0244  
BILL THIRD PARTY